

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ROCHELLE DEANN MARSHALLA,

Defendant.

4:12CR3111

MEMORANDUM AND ORDER

The defendant violated the conditions of her pretrial release and her guilty plea has been accepted. She has failed to meet the burden of showing, by clear and convincing evidence pursuant to 18 U.S.C. § 3143 (a), that she will appear at court proceedings and will not pose a danger to the safety of any person or the community if released. The Court's findings are based on the evidence presented in court and contained in the court's records, including her discharge from the Stephen Center-HERO program for violating facility and treatment rules.

IT IS ORDERED:

- 1) The defendant's Second Motion for Review of Detention and Release, (Filing No. 45), is denied. The above-named defendant shall remain detained pending sentencing.
- 2) The defendant is committed to the custody of the Attorney General for confinement in a corrections facility; the defendant shall be afforded reasonable opportunity for private consultation with counsel; and on order of a court of the United States, or on request of an attorney for the government, the person in charge of the facility shall deliver the defendant to a United States Marshal for appearance in connection with a court proceeding.

April 2, 2013.

BY THE COURT:

s/ Cheryl R. Zwart

United States Magistrate Judge